



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

TEAMSTERS LOCAL 633 OF NEW HAMPSHIRE

Petitioner

and

WHITE MOUNTAIN SCHOOL DISTRICT

Respondent

CASE NO. M-0655

DECISION NO. 92-03

APPEARANCES

Representing Teamsters Local 633 of New Hampshire:

Thomas D. Noonan, Business Agent

Representing White Mountain School District:

Bradley Kidder, Esq.

Also appearing:

John Holmes, WMRHS
Patrick Kelly, WMRHS
Ed Malanson, WMRSD

BACKGROUND

Teamsters Local 633 of New Hampshire (Teamsters) filed a petition on August 22, 1991, for certification of a bargaining unit consisting of three principals, two assistant principals, one vocational director, one buildings and grounds supervisor, one food service director, one special student services director and one Chapter I Director.

On September 4, 1991, the White Mountain Regional School Board (Employer) through counsel Bradley F. Kidder, filed an exception to the foregoing petition saying the proposed unit consists of professional and non-professional employees, (2) involves persons exercising significant authority over other members of the same bargaining unit, and, thus, (3) there would then be fewer than two ten employees with the same community of interest in the unit. No accommodation having been reached the matter was scheduled for hearing and heard by this Board on October 15, 1991.

The Board met on this matter at its offices in Concord, New Hampshire on December 17, 1991.

FINDINGS OF FACT

1. The seven positions petitioned for represent a middle management unit of the employer and, as such, have a community of interest.
2. There was no evidence that employees in the proposed unit exercise "significant...discretion" one over another such as to warrant exclusion under RSA 273-A:8, II.
3. All employees in the proposed unit have similar conditions of employment as intermediate supervisors, i.e. all are mid-level supervisors over personnel of the employer who may either be in or outside of other bargaining units involving the same employers.
4. All employees in the proposed unit are rated or evaluated by either the Superintendent or Assistant Superintendent. They do not rate or evaluate each other. None exercises sufficient authority to hire or fire other employees in the proposed unit or to finalize such an action for employers outside the proposed unit.
5. All employees in the proposed unit work for the same organizational entity. They work in or about the buildings of the employer, receive the same types of benefits, (life insurance, medical insurance and sick leave), and are paid in a similar manner. Any differences in schedule or hours is consistent with specific job responsibilities as an intermediate level manager and is not persuasive of any lack of a community of interest.

ORDER

After reviewing the petition, exceptions thereto, and the presentations before it, the Board creates a unit of intermediate mid-level managers and administrators consisting of the following job titles:

Principals, Assistant Principals, Vocational Director,
Building & Grounds Supervisor/Director, Food Service
Supervisor/Director, Special Student Service Director,
and Chapter I Director/Manager.

So Ordered.

An election will be held by PELRB in accordance with RSA 273-A:10 and PELRB Rules and Regulations as expeditiously as possible.

Signed this 8th day of January , 1992.


EDWARD J. HASELTINE
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding. Members Seymour Osman and Richard E.Molan present and voting.